

### **REMARKS**

Claims 1 and 2 are pending in the application. Claim 1 is the only independent claim.

#### ***Claims Rejections - 35 U.S.C. § 102***

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,891,038 to Barros.

In response to the rejection of claim 1 under 35 U.S.C. § 102(b), applicants have amended that claim herein to provide a better definition of the invention. Applicant respectfully maintains that amended claim 1 distinguishes the invention over the prior art and particularly over Barros.

As set forth in amended claim 1, a powder body metering apparatus comprises a metering container including an inlet in an upper end, and a switch valve for opening and closing the inlet of the metering container. An internal capacity of the metering container is variable. A first opening is provided in a lower portion and a second opening is provided in a desired portion. The first opening and the second opening are each spaced from the inlet.

In relying on Barros to reject claim 1, the Examiner maintained that “anything could be a ‘desired portion’” and indicated that the inlet could be both an inlet and one of the two openings of applicant’s claimed invention.

In order to clarify that applicants’ metering apparatus as set forth in claim 1 has at least three separate openings, applicants have amended claim 1 herein to recite that the second opening is separate from the first opening and that the “first opening and the

second opening are each spaced from the inlet.” Thus, neither the first opening nor the second opening of applicants’ claim 1 can be the inlet of the metering apparatus. Applicant’s metering apparatus has at least three openings, namely, the inlet, the first opening and the second opening.

Claim 1 has been further amended for grammatical reasons.

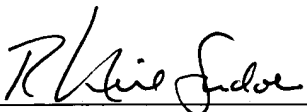
***Conclusion***

For the foregoing reasons, independent claim 1, as well as claim 2 dependent therefrom, is deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

Should the Examiner believe that direct contact with applicant’s attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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